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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,576	12/29/1999	CASSANDRA J. MOLLETT	FDC-0140-PUS	2400

7590 07/19/2002

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EXAMINER

RUDY, ANDREW J

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 07/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/474,576

Applicant(s)

MOLLETT ET AL.

Examiner

Andrew Joseph Rudy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-5 are pending.

#### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features from claims 1-5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Note, claims 1 and 4 do not claim any storing feature. Claims 2 and 5 claim labeling features.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 4, 7, "the check writer" and "the information" each lack antecedent basis and each is not clear what is being referenced.

Claim 4, lines 4, 7, "the negative information" and "the information" each lack antecedent basis and is not clear what is being referenced.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, as understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrison, Jr., US Patent No. 6,105,011 in view either of Pare, Jr. et al., US Patent No. 6,269,348 or Saladin et al., US Patent No. 5,262,941.

Morrison discloses a check cashing system for a customer and whether a processed check is honored or not due to informational financial criteria by the paying institution.

Pare discloses database including a biometric-based credit history where an individual is classified in a particular category depending upon various factors (e.g. identification information, historical data, negative history) taken into account. As understood, the database of Pare comprises a separate scrubbed file.

Saladin discloses a database comprising a decision matrix tree to classify a customer in a preset category to determine the customers credit worthiness using various factors (e.g. identification information, historical data, negative history) and given a score as a result thereof. As understood, the database of Saladin comprises a separate scrubbed file.

To provide the check cashing system of Morrison to classify and an individual in a particular category using negative historical data and place this information in a separate scrubbed file, for Morrison, would have been obvious to one of ordinary skill in the art in view of either Pare or Saladin.

Doing so would provide a more secure check cashing system using well known scored credit history databases that compare various criteria to determine approval/disapproval of money exchange systems of which Morrison is associated with. It is noted that maintaining credit files of individuals to place in/remove therefrom the individual is common knowledge with in the credit history and monetary disbursement art.

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5. Further references of interest:

Thomas et al., US Patent No. 6,317,745, discloses a fund transfer system using identification information.

Lockwood, US Patent No. 6,289,319, discloses where each individual credit worthiness is classified in a particular category depending upon various factors taken into account.

Breitzman et al., US Patent No. 6,175,824, discloses using scored information in order to determine what action to take.

Hills et al., US Patent No. 6,164,528, discloses using negative information in column 8, line 52.

Schenkler., US Patent No. 6,078,902, discloses storing privileged information in a fund transfer system.

Hyde, Jr., US Patent No. 6,038,553, discloses a fund transfer system using an information database.

Pettitt, US Patent No. 6,029,154, discloses weighing parameters in a money transfer system.

McCoy et al., US Patent No. 5,649,116, discloses a risk management system for a money transfer system.

Kight et al., US Patent No. 5,383,113, discloses a financial analysis for a money transfer system.

Higashiyama et al., US Patent No. 5,175,682, discloses a various databases for a real time money transfer system.

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*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 703-308-7808. The examiner can normally be reached on Tuesday thru Friday, 7:30 a.m until 6 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Robert Olszewski can be reached on (703) 308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9326 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

July 8, 2002

*Andrew Joseph Rudy*

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